

REMARKS:

This application has been carefully studied and amended in view of the Office Action dated October 29, 2007. Reconsideration of that action is requested in view of the following.

Parent claims 1, 12 and 14 have been amended to more clearly define the invention. Former parent claims 3 and 22 have been canceled and replaced by dependent claims. In that regard, because claims 3, 12 and 22 had not been rejected over the "prior art" in the prior Office Action it was assumed that those claims would be allowed once written in independent form. The Office Action of October 29, 2007, however, rejected those claims over a combination of references. In order to reduce the number of independent claims, claim 3 has been canceled and claim 38 has been added which is dependent on claim 1, but contains the subject matter of original claim 3 while it was still in its dependent form. Similarly, claim 22 has been canceled and is replaced by dependent claim 43 which is dependent on claim 14 and is in its form when it had been a dependent claim. With regard to claim 12 it is submitted, as later pointed out, that claim 12 as written in independent form and amended should be patentable over the prior art. To complete the claim coverage, however, the feature which had been in original dependent claim 12 is now presented in claim 39 which is dependent on claim 1.

For the sake of completeness newly added dependent claims 36-

43 have been included in this amendment. As noted, this amendment directs the cancellation of former independent claims 3 and 22. Accordingly, the presentment of additional dependent claims 36-43 increases the total number of claims by six. The Commissioner is authorized to charge Deposit Account No. 03-2775 with respect to these additional six total number of claims.

It is respectfully submitted that parent claims 1 and 14 and their dependent claims are patentable over Gougeon. At first blush there may seem to be some similarities between the broom attachment of Gougeon and the combination wipe and attachment of the present claims. Upon closer inspection, however, it is clear that the approaches taken by Gougeon and in the present claims are quite distinct. In Gougeon two substantially triangular pieces, 30 and 31 are provided which have free edges. Each of these pieces is "cut as indicated at 10 up to the point 11, the upper parts 30 and 31 of the element 33 folding on the base line 32". In use, the free edges of the pieces 30,31 are stitched together by stitching 22 which extends to a point 34 at the upper end of the broom attachment. For assembly, the body member 29 is spread open at the cut line 10 as shown in phantom in Figure 1 to permit the broom head to be inserted into the body. The body is then returned to its original condition shown in solid lines in Figure 1 where the edges of the cut line are illustrated as contacting each other, and the body is attached to the broom by means of element 13. It is

significant in Gougeon that the cut line, which is actually a slit, extends a significant distance down the length of the folded pieces 30,31 to the point 11 so that the body can be opened a sufficient amount to permit the broom head to be inserted into the body.

With the combination wipe and attachment of the present invention defined in claims 1 and 14 a cover is provided having free edges much the same as initially in Gougeon in the condition of Figure 5. But then in use, however, the cover is simply folded around the broom head. Because of the flaps at one end of the cover, the cover can thereby simply be mounted to the broom head by folding the flaps over the other end of the cover to engage the fastening structures. With the present invention it is not necessary for the flaps or open area between the flaps to extend a sufficient distance down the cover. To the contrary, since the function of the flaps is as a means of mounting or attachment, the flaps could be located in the terminal portion of the second end of the cover. Unlike Gougeon the flaps are initially separated from each other and remain spaced apart and out of contact with each other in both the assembled and unassembled conditions of the cover in order for there to be sufficient room provided by the intermediate open area to accommodate the broom handle 30 as shown in Figure 2. This differs from Gougeon where the side edges of the cut line 10 are illustrated as being in contact with each other in both the assembled and unassembled conditions and are spaced apart

only during the mounting process illustrated in phantom in Figure 1.

Thus, a key difference between the present invention as defined in various claims and Gougeon is that flaps are created by bifurcating one end of the cover in such a manner that an open space is formed between the flaps of sufficient width so that the flaps are maintained completely apart and out of contact with each other in both the assembled and unassembled conditions of the cover. In striking contrast what is shown in Gougeon is a cut or slit which is essentially linear and does not create a sufficient open space to maintain the edges of the cut spaced apart and out of contact with each other in both the assembled and unassembled conditions. Examiner Guidotti is urged to note that in Figure 5 the cut 10 is simply nothing more than a slit and the adjoining edges of the cut are clearly shown as being in contact with each other. Note should also be made of Figure 1 which illustrates in solid lines the cut 10 being nothing more than a slit which does not space apart the adjoining edges. It is respectfully submitted that to construe the structure of Gougeon as being a disclosure of the claimed features having "flaps with an open area of sufficient width between said flaps whereby said flaps are maintained completely spaced apart and out of contact with each other in both the assembled and the unassembled conditions of said cover" would be an unreasonable interpretation of the Gougeon disclosure and, given the difference in structure and operation of the claimed

invention and that of Gougeon, a rejection based on Gougeon is not reasonable. Accordingly, claims 1 and 14, particularly as now amended, should be allowed over Gougeon.

To further highlight the differences between (1) the flaps and open area therebetween as defined in claims 1 and 14 and (2) the cut or slit 10 of Gougeon, dependent claims 36-37 and 41-42 have been added. Claim 36 is dependent on claim 1 and claim 41 is a counterpart claim dependent on claim 14. Each of these claims points out that the flaps and open area are confined to a terminal region of the second end which extends less than half of the second end. This is clearly shown in, for example, Figures 1 and 2. In contrast with Gougeon the cut or slit extends approximately 2/3rds the length of each piece 30,31 from the outer edge to the point 11 as clearly shown in Figure 5 and also shown in Figure 1. Such extended length of the cut or slit is necessary in order to be able to spread each piece 30 and 31 apart a sufficient distance to permit the broom head to be inserted into the body as shown in phantom in Figure 1.

Claim 37 is dependent on claim 1 and its counterpart claim 42 is dependent on claim 14 and also highlight structural differences from Gougeon. As defined in those dependent claims the first end and the second end are non-symmetrically shaped with respect to each other with the first end being continuous across its outer region unlike the second end which has flaps and an open area therebetween. In Gougeon as shown in Figure 5 the pieces 30,31 are

essentially symmetrical with each other, the only difference being in that the neck portions 12 of each piece are diametrically opposite. In any event, Gougeon does not have one end which is continuous across its outer region and which is free of flaps and an open area with the other end, however, having such flaps and an open area.


It is respectfully submitted that claim 12 and its dependent claim 40 are patentable over Gougeon in view of Laske. In rejecting claim 12 Examiner Guidotti referred to Laske as recognizing that some brooms may have slanted shapes and that some portions of the side edges must be longer than other portions in order to conform to the shape of the slanted cleaning implement. Figure 8a was referred to as having side edges of the same length until it is flexed when placed on a broom having a slanted shape and then the lengths change in conformity as shown in Figure 9. Claim 12 has been amended to clearly differ from this interpretation of Laske. As now defined in claim 12 the intermediate section has two sets of side edges with one being longer than the other. In addition, claim 12 defines the side edges of the intermediate section as being of non-symmetrical shape with respect to each other when the cover is in its unassembled condition. Thus, while Laske may recognize the same intended use as is the subject of claim 12, the approach taken by Laske is totally different. As clearly shown in Figure 8a the Laske cover is of symmetrical shape. There is no one edge which is longer than

the other edge when the cover is in its unassembled condition. Contrast this to the illustrative example of Figure 1 of this application which shows the edge 42 to be longer than the edge 40.

Claim 40 adds to the combination of claim 12 that the longer side edge is outwardly bulged and the other side edge is substantially straight. This is supported by the edges 42 and 40 of Figure 1 of this application. Such difference in the shape of each of the two side edges is simply not shown or suggested by Laske. Accordingly, claim 12 and its dependent claim 40 should be allowed over Gougeon in view of Laske.

In view of the above remarks and amendments this application should be passed to issue.

Respectfully Submitted,

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